S.B. Criminal Misc. Bail Application No.5406/2006
Date : 05.12.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. H.S.S. Kharlia for the applicant.
Mr. V.R. Mehta, Public Prosecutor.
Mr. G.R. Bhari for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that initially the case was registered under Section 323 IPC and after C.T. Scan report Section 325 IPC was added and subsequently on the opinion given by the Doctor that injury on head was are grievous in nature, Section 307 IPC was added. He further submits that the applicant also sustained injuries and cross cases are pending.

On the other hand, learned Public Prosecutor assisted by learned counsel for the complainant opposed the bail application and submitted that in view of the opinion of the Doctor, the bail application of the applicant should not be granted.

I have considered the submissions made before me and perused the charge-sheet.

Without expressing any opinion on the merit of the case, while taking into consideration the overall facts and circumstances of the present case and the fact that charge-sheet has been filed and the investigation from the accused applicant has been completed, I deem it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Sunil Kumar alias Golia s/o Om Prakash shall be released on bail in FIR No.416/2006 P.S. Nohar, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent

sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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